

REMARKS

This responds to the Office Action mailed on July 31, 2009.

Claims 1, 26, 31, 38, 39, 44, 50, and 56 are amended, claim 28 is canceled, and no claims are added; as a result, claims 1-27 and 29-67 are now pending in this application.

It is submitted that the amendments to independent claims 1, 26, 39, and 56 merely further clarify the claims and that no new subject matter has been introduced requiring any further searching. Claims 31, 38, 44, and 50 are to correct minor typographical errors. Amendment of a claim is not to be construed as a dedication to the public of any subject matter.

§ 102(e) Rejection of the Claims

Claims 1-11, 15-24, 26-37 and 39-67 are rejected under 35 U.S.C. 102(e) as being anticipated by Holtz et al. (U.S. Publication No. 2002/0175931; hereinafter "Holtz").

Independent claim 1 states:

- (a) A broadcast control apparatus for visual data, the apparatus comprising:
a touch screen display panel operable to receive and display visual data simultaneously in real time from a plurality of visual sources; and
- (b) a touch screen graphical panel for the retrieval of control functions from a control function register; whereby visual data from at least one of the received and simultaneously displayed visual sources is selectable for use by finger pressure on the associated portion of the touch screen display panel and the selected data is modifiable in accordance with a retrieved control function.

In relation to feature (a), the Examiner asserts that paragraphs [0031] and [0032] and the illustrations of Figures 2A and 2B of Holtz teach feature (a).

The Applicant respectfully disagrees. There is no teaching or suggestion, whether explicit or implied, that the touch screen display panel is operable to receive and display visual data simultaneously from a plurality of visual sources. {Emphasis added}.

Referring to paragraph [0031], Holtz merely states: "...The processing unit displays ... a graphical user interface (GUI) that consists of graphical controls for controlling the video

production devices that it is in communication with. The graphical controls are made up of icons. ... The video director uses a keyboard and mouse or other input device or interface to activate the icons, and thereby remotely control the video production devices.” An example of an interface to activate icons is given as a touch screen.

Paragraph [0032] states: “... The video director pre-produces the show to ... create a transition macro, which specifies one or more video production commands, and instructs the processing unit to execute the transition macro. Executing a transition macro means transmitting the one or more video production commands that are specified by the transition macro to the appropriate video production devices.”

With respect, at best the art in regard to the cited paragraphs discloses that icons may be activated by way of a touch screen to perform some task. Importantly, icons are defined in paragraph [0023] to mean “a small picture intended to represent something in a graphical user interface. When an icon is clicked on with a mouse, for example, some action is performed. Icons are usually stored as bitmaps, but of course can be stored using other formats.”

Referring to Figure 1, the description teaches that: “A video director 135 uses processing unit 102 to produce a show. ...Processing unit 102 displays GUIs 132 and 133 on display devices 114 and 115, respectively. GUIs 132 and 133 display graphical controls corresponding to the video production devices 104-130. Video director 135 uses a keyboard 118 and a mouse 116 to interact with the processing unit 102 by manipulating the graphical controls of GUI 132, 133. In response to video director 135 activating a graphical control from GUI 132 or 133, processing unit 102 transmits a video production command to the video production device corresponding to the activated graphical control. In this manner, video director 135 centrally controls the operation of each of the video production devices.” See paragraph [0092] and [0093].

With particular reference to paragraph [0101], it is taught that “Video director 135 is able to select which video signals 140-145 will appear on program output 154 and preview output 155 of DVE 106 by selecting a video source icon 303 from program row 310 and by selecting a video source icon 303 from preview row 311.” However, this does not teach that visual data is displayed in real time, nor that visual data is displayed *simultaneously from a plurality of sources*. All that Holtz displays are icons; that is, a static picture indicative of what that picture, or “icon,” represents.

In relation to feature (b), the Examiner asserts that paragraphs [0033], [0040] and [0094] to [0102] and the illustrations of Figures 2A and 2B of Holtz teach feature (b).

The Applicant disagrees. Paragraph [0040] merely talks about modifying transition macros (sets of commands) while a show is executing. Specifically, it states that video director may insert icons or predefined transition macro segments (multiple icons representing a line item on the director's rundown sheet) into an executing transition macro. There is no teaching or inference that visual data from at least one of the visual sources is selected for use by finger pressure on the associated portion of the touch screen display panel and the selected visual data is modified in accordance with the retrieved control function. Meanwhile, paragraphs [0094] to [0102] describe the operation of video switcher graphical controls. However, there is no teaching of selecting one of the received and simultaneously displayed visual sources for use by finger pressure for subsequent modification. Holtz doesn't display visual sources simultaneously, let alone selecting one of the visual sources. Holtz only suggests the display of static visual icons.

It is respectfully submitted that claim 1 is novel over the disclosure of Holtz. Reconsideration of this rejection is respectfully requested.

It is submitted that at least by virtue of their dependency, dependent claims 2-11 and 15-24 are further novel over the disclosure of Holtz. It is noted that no objection in relation to novelty was raised in relation to dependent claims 12-14 and 25.

Independent claim 26 states:

A broadcast control apparatus for the recording and replay of visual data, the apparatus comprising:

a touch screen display panel operable to simultaneously playback more than one stream of visual data from a storage unit, the visual data sourced from a plurality of visual sources;

a touch screen graphical panel for the retrieval of control functions from a control function register; and

a control panel in communication with the touch screen panels , the control panel including a plurality of programmable keys, each one of which is able to be programmed to retrieve a control function;

whereby playback of visual data from the storage unit is able to be modified in accordance with a retrieved control function, and respective streams of visual data from the storage unit are configurable on the touch screen display panel and are resizable depending on the number of streams of visual data displayed.

The Examiner asserts that paragraphs [0124] to [0131] and the illustration of Figure 5 of Holtz teach all of the features of claim 26.

The Applicant respectfully disagrees. Holtz does not teach, suggest nor infer that the touch screen display panel is operated to simultaneously playback more than one stream of visual data.

The paragraphs [0124] to [0131] merely teach how the director can select a record/playback device and then control the operation of that device; for instance, it can play, rewind or cue data that the device is associated with. It is not suggesting that a plurality of streams of visual data is simultaneously displayed on the touch screen display panel for subsequent modification by a retrieved control function.

Furthermore, independent claim 26 as amended includes the feature that the respective streams of visual data from the storage unit are configurable on the touch screen display panel and are resizable depending on the number of streams of visual data displayed. It is respectfully submitted that Holtz does not teach, nor infer, this feature. Firstly, Holtz does not teach the simultaneous display of more than one stream of visual data. Neither is there any suggestion of configuring or resizing the display of a single stream, let alone the respective streams.

It is respectfully submitted that independent claim 26 is novel over the disclosure of Holtz. Reconsideration of this objection is respectfully requested in view of the clarifying amendments.

It is submitted that at least by virtue of their dependency, dependent claims 27 to 37 are further novel over the disclosure of Holtz. It is noted that no objection in relation to novelty was raised in relation to dependent claim 38.

As rightly stated by the Examiner, the subject matter with regard to independent claim 39 corresponds to the subject matter recited in independent claims 1 and 26. The arguments in relation to the novelty of independent claims 1 and 26 apply equally to independent claim 39, and it is therefore submitted that independent claim 39 is novel over the disclosure of Holtz. Reconsideration of this objection is respectfully requested.

In view of the Applicant's assertion that independent claim 39 is novel over the cited art, it is respectfully submitted that dependent claims 42 to 55 are further novel over the disclosure of Holtz at least by virtue of their dependency on claim 39.

Independent claim 56 states:

A method for broadcast control, comprising the steps of storing control functions in a control function register;

displaying on a touch screen display panel of a first apparatus visual data simultaneously in real-time from a plurality of visual sources; a first operator

selecting visual data from at least one of the received and simultaneously displayed visual sources by finger pressure on the associated portion of the touch screen display panel of the first apparatus; the first operator

retrieving a control function from the control function register; and the first operator modifying the selected visual data with the retrieved control function to produce a first output and cueing the first output for transmission.

The Examiner asserts that the subject matter recited in claims 56-65 corresponds to the subject matter recited in claims 1, 26, 32, 17, 23, 24, 18, 15-16 and 19, respectively. For at least the reasons asserted above, it is submitted that Holtz does not teach, suggest nor infer a method whereby visual data from a plurality of visual sources is simultaneously displayed on a touch screen display panel. Holtz does not teach the simultaneous display of a plurality of visual sources nor can Holtz teach or infer the selection of visual data from one of those visual sources.

It is respectfully submitted that independent claim 56 is novel and claims dependent thereon are novel over the disclosure of Holtz at least by virtue of their dependency on claim 56.

§ 103(a) Rejection of the Claims

Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holtz in view of Share et al. (U.S. Patent No. 5,477,024; hereinafter “Share”). Claims 12-14 are dependent upon claim 1 which is allowable. Accordingly, claims 12-14 are allowable at least by virtue of their dependency upon claim 1.

It is respectfully submitted that Share does not make up for the deficiencies of Holtz. Share is concerned with backlit buttons and an assembly. Such an assembly is taught as having an opaque cap having a graphic image which is able to exhibit different colors when backlit.

In the circumstances, since neither Holtz nor Share nor the combination of Holtz and Share discloses each and every feature of independent claims 1, 26, 39 and 56 as claimed, it is respectfully submitted that dependent claims 12-14 are in an allowable state. Removal of this rejection is therefore respectfully requested.

Claims 25 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holtz in view of Vye (U.S. Patent No. 4,720,805). Claims 25 is dependent upon claim 1 which is allowable. Accordingly claim 25 is allowable at least by virtue of its dependency upon claim 1. Claim 28 is cancelled. Removal of this rejection is therefore respectfully requested.

It is to be noted that Vye teaches a control system to enable panning and tilt functions for a motorized camera head. Vye does not cure the deficiencies in Holtz. For at least the reasons stated above, neither Holtz nor Vye nor the combination of Holtz and Vye discloses each and every feature of independent claims 1, 26, 39 and 56 as claimed.

CONCLUSION

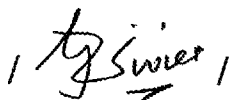
Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (408) 278-4041 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

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Date 01.29.2010

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 29th day of January, 2010.

CHERYL L. KNAPP

Name


Signature